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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

TEKION CORP.,
Plaintiff,
v.
CDK GLOBAL, LLC,
Defendant.

Case No.: 3:24-cv-08879-JSC

CDK GLOBAL, LLC,
Plaintiff,
v.
TEKION CORP. and INDESIGN DATA, LLC,
Defendants.

Case No.: 3:25-cv-01394-JSC

**DECLARATION OF ARMEN
NERCESSIAN IN SUPPORT OF JOINT
STIPULATION AND [PROPOSED]
ORDER EXTENDING PRELIMINARY
INJUNCTION BRIEFING SCHEDULE
AND CONTINUING HEARINGS**

Judge: Honorable Jacqueline Scott Corley

1 I, ARMEN NERCESSIAN, declare as follows:

2 1. I am an attorney duly licensed to practice in the state of California and admitted to
3 practice before this Court. I am an associate at the law firm Fenwick & West LLP, counsel of
4 record for Tekion Corp. I submit this declaration in support of the Joint Stipulation and [Proposed]
5 Order Extending Preliminary Injunction Briefing Schedule and Continuing Hearings in the above-
6 captioned cases, pursuant to Civil Local Rule 6-2. I make this declaration based on my own
7 personal knowledge and could competently testify to the statements if I were called upon to do so.

8 2. CDK filed a Motion for Preliminary Injunction in *CDK Global, LLC v. Tekion Corp.*
9 *and InDesign Data, LLC*, Case No. 25-01394-JSC (*CDK v. Tekion and InDesign*) on March 13,
10 2025, and scheduled it for hearing on April 24, 2025. Under N.D. Cal. Civil Local Rule 7-3,
11 Tekion's and InDesign's deadline to respond to the Motion for Preliminary Injunction is currently
12 March 27, 2025, and CDK's reply is currently due April 3, 2025.

13 3. CDK's Motion for Preliminary Injunction attaches six declarations from different
14 witnesses. Tekion seeks to depose these witnesses to have a fair opportunity to respond to CDK's
15 bid for preliminary injunction. These depositions are necessary for Tekion to prepare its opposition
16 to the Motion. But, under the current briefing schedule, it would not have enough time to do so or
17 to use the information that it has gathered in any deposition in its opposition to the Motion.

18 4. In addition, CDK seeks to depose Tekion witnesses to prepare the reply on its
19 Motion.

20 5. The only previous time modification in *Tekion Corp. v. CDK Global, LLC*, Case
21 No. 24-08879-JSC (*Tekion v. CDK*) was to extend CDK's time to answer or otherwise respond to
22 Tekion's complaint from January 6, 2025 to February 10, 2025.

23 6. The only previous time modification in *CDK v. Tekion and InDesign* was to extend
24 Tekion's and InDesign's deadline to answer or otherwise respond to CDK's complaint in the CDK
25 Action by stipulation from March 6, 2025, and March 7, 2025, respectively, to April 9, 2025.

26 7. The events or deadlines that would change under this new briefing schedule are the
27 deadlines for Tekion's and InDesign's respective oppositions, and for CDK's reply, as to the

1 Motion for Preliminary Injunction in *CDK v. Tekion and InDesign*; and the hearing dates on the
2 Motion for Preliminary Injunction in *CDK v. Tekion and InDesign*, the Motion to Dismiss in *Tekion*
3 *v. CDK*, and the Initial Case Management Conferences in both cases, all of which are currently set
4 for April 24, 2025.

5
6 I declare under penalty of perjury under the laws of the United States of America that the
7 foregoing is true and correct.

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9 Executed on: March 21, 2025

/s/ Armen N. Nercessian

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FENWICK & WEST LLP
ATTORNEYS AT LAW